

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

YASEEN TRAYNOR, individually and on
behalf of all others similarly situated,

Hon. George B. Daniels

Plaintiff,

v.

Case No.: 1:19-cv-3021

THE HEREAFTER, INC. d/b/a
AREAWARE, INC. and
JOHN DOES 1-25,

Defendant(s).

**PLAINTIFF'S MOTION TO DISMISS WITHOUT PREJUDICE
PURSUANT TO FED. R. CIV. P. 41(a)(2)**

Now comes Plaintiff Yaseen Traynor, by and through his undersigned counsel, and files this Motion to Dismiss the Complaint Without Prejudice and Without Costs pursuant to Fed. R. Civ. P. 41(a)(2).

1. Plaintiff filed his Complaint against Defendant The Hereafter, Inc. on April 4, 2019 (DE 1).
2. Defendant filed a Motion to Dismiss Plaintiff's Complaint on June 19, 2019 (DE 8).
3. Additionally, on June 19, 2019, Defendant filed a Motion to Stay Discovery (DE 9).

4. Plaintiff has been advised of the Motion to Dismiss and Motion to Stay Discovery filed by Defendant and, in light of same, Plaintiff wishes to dismiss his complaint against Defendant at this time.

5. The parties cannot agree on terms by which a Joint Stipulation for Dismissal of the case can be filed.

6. A proposed form of Order is submitted herewith.

WHEREFORE, Plaintiff respectfully requests that this Honorable Court issue an Order dismissing this case without prejudice and without costs pursuant to Federal Rule of Civil Procedure 41(a)(2).

Dated: July 22, 2019

Respectfully submitted,

STEIN SAKS, PLLC

s/ Dov Mittelman

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Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on July 22, 2019, I electronically filed the foregoing with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel either via transmission of Notices of Electronic Filing generated by CM/ECF or in

some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Dov Mittelman
Dov Mittelman, Esq.